

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

Claims 19, 21, 26, 28, 29, 31, 32, 34, 39, 41, 42 & 44 are rejected under 35 U.S.C. 1 12, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, Regarding Claims 19 & 32, Examiner notes that the term "machine" is indefinite in this context and suggests changing the same to "computer".

Without conceding the examiner's position, claims 19 and 32 have been amended.

Regarding Claims 21, 26, 28, 29, 31, 34, 39, 41, 42 & 44, Examiner notes that the term "natural" in relation to language is indefinite and suggests changing the same to "English". For purposes of examination, Examiner will interpret the same to be "English language".

The applicant respectfully disagrees. The phrase "natural language" has a well-understood meaning in the art of computer engineering as well as in such fields as linguistics and philosophy as referring to language used by humans for general purpose communication, as opposed to language conforming to an artificial structure, such as mathematical logic or a structured computer programming language. See, for example, Wikipedia, http://en.wikipedia.org/wiki/Natural_language.

Claims 33-35 include language indicating "the processor", wherein there is insufficient antecedent basis for the same. Examiner suggests inserting language inclusive of "a processor" into Independent Claim 32.

The claims have been amended.

Claims 19 & 32 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Pub. US 2001/0027470 A1 to Ulmer.

5. Regarding Claims 19 & 32, Ulmer discloses a method and computer readable medium comprising: automatically and repeatedly receiving electronic mail messages that include information related to remotely collected data indicative of a performance of a machine, the electronic

mail messages complying with a standard electronic mail messaging protocol, (paragraphs #0036-0038, 0040, 0056, 0059, 0063-0073 & 0097), and automatically analyzing the information to determine the performance of the machine, (paragraph #0036). Thus, all the elements and claim limitation of Claims 19 & 32 are found to be unpatentable over the teachings of Ulmer

The claims have been amended. Ulmer describes an infrastructure documentation tool (IDT), which monitors an infrastructure which may comprise "network infrastructure elements, storage systems, hardware elements and peripherals, operating systems, networking software, database software, middleware and utilities, [and] software applications." (§§ 0040, 0048) The IDT transfers data about the status of the infrastructure to an infrastructure support service tool (ISST). (§§ 0048, 0056) The information collected by the IDT and transferred to the ISST concerns the infrastructure monitored by the IDT, not the performance of the IDT itself. Ulmer does not describe and would not have made obvious receiving messages describing data "indicative of a performance of [a] remote computer" collected by that same computer as in claims 19 and 32.

7. Claims 20-23, 26, 28-31, 34, 35, 39 & 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over further consideration of the teachings of US Patent Pub. US 2001 10027470 A1 to Ulmer.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Enclosed is a \$225.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing 12971-002001.

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Serial No. : 09/853,839
Filed : May 11, 2001
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Attorney's Docket No.: 12971-002001

Respectfully submitted,

Date: _____

11/28/01



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